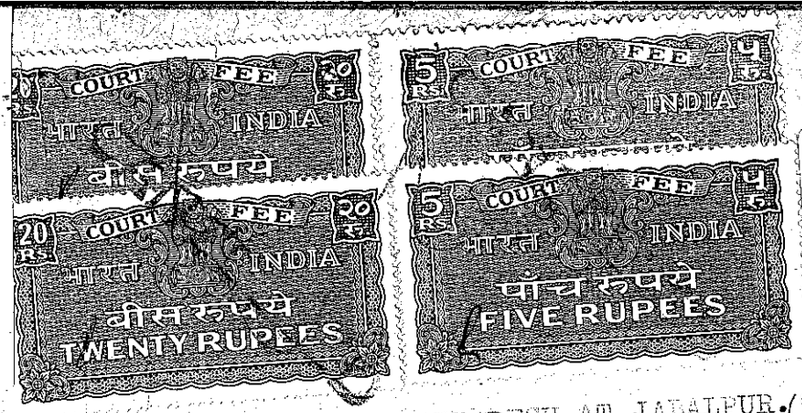

(2)

CF0000110099

IN THE HIGH COURT OF MADHYAPRADESH AT JABALPUR.

Division Bench (Civil)

M.P.NO. 394 OF 1991.

PETITIONERS. 1. THELA LAGHU UDYAMI COOPERATIVE SOCIETY RAIPUR, Registration Number SPR/2005/Vidh/2/RPR 80-81 dated 5-9-80, through its President Balup Kumar Mandhani,

2. Shyamdass, aged 33 years son of late Mathchudas, occupation business resident of Kapa, Raipur.

VERSUS

RESPONDENTS. 1. Collector Raipur for the State of Madhya Pradesh,

2. Sub Divisional Officer, National Highway, Public Works Department, Raipur.

3. Raipur Development Authority, through its Chairman, G.E.Road, Raipur MP

4. Municipal Corporation, Raipur through the Commissioner.

5. Joint Director, Town and Country Planning Department, Raipur MP.

6. Nazul Officer, Raipur

24-1-91 S.O. Gulha 24-1-91. 1699

HIGH COMMISSIONER Smt. SUMAR SONI JABALPUR

Received copy 24/1 Advocate

PETITION UNDER ARTICLES 226 READ WITH ART 227 OF THE CONSTITUTION OF INDIA

Petitioners, above-named, submit as under:-

1. That the Petitioner No.1 is a Registered which has been registered under the Cooper...

...2

XI-HC-22

(61)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..WP 324/91 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

28.4.2005

Shri R.N. Jha for the petitioners.

Shri Pankaj Shrivastava, P.L., for the State.

Shri Pankaj Agrawal for respondent no.4.

Heard on I.A. No.3281/05 for taking the documents on record.

Not opposed. The application is allowed.

The documents are taken on record.

Heard.

Shri Jha, learned counsel for the petitioners, submits that this petition was filed by Thela Laghu Udyami Co-operative Society, Raipur directing the respondents not to take any action as threatened against the members of the Society for removal of the gumties. The petitioners do not have the list of members.

It is submitted that 58 members have been rehabilitated and allotted the gumties near P & T Colony, situated at Sanjay Nagar Road, Tikrapara.

Return has already been filed.

It is submitted on behalf of the respondents that the interim order was passed in the year 1991 and after the formation of the State of Chhattisgarh the Secretariat has come, therefore, the land was required. It is also submitted that the persons who approached the respondents have been allotted the gumties in other localities.

In that view of the matter, Shri Jha, learned counsel for the petitioners, submits that for the present, the petition may be

(पीछे देखिये)

(62)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 324/91 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	disposed of with a direction to the petitioners to file a representation on behalf of the persons, who have not been allotted the gumties in other localities, which will be verified and decided on its own merits in accordance with law, with a liberty to file afresh in case the grievance still survives. Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, ends of justice will be served if the petitioners file a representation on behalf of the persons, who have not been allotted the gumties in other localities, which will be verified and decided on its own merits in accordance with law, with a liberty to file afresh in case the grievance still survives. With the aforesaid observations, this petition stands disposed of. Certified copy as per rules. **Sd/-** **Fakhruddin** **Judge**	

(पीछे देखिये)